

REMARKS/ARGUMENTS

The present Response is responsive to the final Office Action mailed June 23, 2010 in the above-identified patent application.

Claims 2-4, 15 and 24 are the claims currently presented for examination in the present application.

Rejection of Claims 2-4, 15 and 24 under 35 U.S.C. § 103

Claims 2-4, 15 and 24 are rejected under 35 U.S.C. § 103 as being obvious from Camenzind, PCT Application No. WO 99/56918 in view of Poitras, U.S. Patent No. 3,557,789. Reconsideration of this rejection is respectfully requested.

As previously discussed, according to an aspect of Applicant's invention as claimed in claim 2, a mounting spindle foldably secures at least a cutting tool or blade in a folded in or folded out position with respect to the body of the pocket knife. The transmission element 21 is secured to a mounting spindle, for example as illustrated in Fig. 3. The transmission element 21 pivots about the mounting spindle to change a force direction of the load to a torque force rotating about the mounting spindle as described, for example, in the paragraph bridging pages 8 and 9 of the Specification.

The Office Action acknowledges (Office Action, page 2) that Camenzind does not disclose a transmission arrangement/lever element configured to pivot about a spindle, but suggests that the Poitras reference discloses or suggests such features. Poitras discloses that the two arm lever member 28 rotates about pivot 27 (Poitras, col. 4, lines 10-15).

Poitras does not disclose or suggest a transmission arrangement pivoting about a spindle that is positioned and configured to foldably secure the at least one cutting tool or blade to the body of the pocket knife, as required by claim 2. Thus, even if combined, the Camenzind and Poitras references fail to disclose these recitations of claim 2. Further, Camenzind and Poitras fail to provide the effects or advantages provided by Applicant's invention as claimed in claim 2, namely, that the spindle used to secure the blade or other tools of the pocket knife also serves as point about which the transmission arrangement pivots and the spindle facilitates the changing of the force direction of the load to the torque force rotating about the spindle. Accordingly, Applicant's invention as claimed in claim 2 would not have been obvious based on Camenzind and Poitras.

Claims 3-4, 15 and 24 depend from claim 2, and are therefore patentably distinguishable over the cited art for at least the same reasons.

In view of the foregoing discussion, withdrawal of the rejection and allowance of the claims of the application are respectfully requested.

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Respectfully submitted,



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